

ZB# 00-58

Leonard Duckworth

58-1-13

#00-58 - Duckworth, Leonard
58-1-13 Area

Pulmon.

Nov. 13, 2000.
Applicant has
paperwork.

Public Hearing:

Nov. 27, 2000.

Granted

Refund:

\$212.00



APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Dickworth

FILE# 00-58

RESIDENTIAL: \$50.00
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA

USE

APPLICATION FOR VARIANCE FEE \$ 50.00

*paid 11/9/00
CK 5066*

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00

5041

11/9/00

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE *11/13/00 - 2* \$ 9.00
2ND PRELIMINARY- PER PAGE *11/27/00 - 2* \$ 9.00
3RD PRELIMINARY- PER PAGE \$
PUBLIC HEARING - PER PAGE \$
PUBLIC HEARING (CONT'D) PER PAGE \$
TOTAL \$ 18.00

ATTORNEY'S FEES: \$35.00 PER MEEETING

PRELIM. MEETING: *11/13/00* \$ 35.00
2ND PRELIM. *11/27/00* \$ 35.00
3RD PRELIM. \$
PUBLIC HEARING. \$
PUBLIC HEARING (CONT'D) \$
TOTAL \$ 70.00

MISC. CHARGES:

..... \$
TOTAL \$ 88.00

LESS ESCROW DEPOSIT \$ 300.00
(ADDL. CHARGES DUE) \$
REFUND DUE TO APPLICANT .. \$ 212.00



Frances Duckworth
Leonard W. Duckworth
Ph. 914-496-3125
10 Mecca Dr.
Salisbury Mills NY 12577

25-7003
2213

5066

Date 11/9/00

Pay to the order of Town of New Windsor \$ 50.00

Fifty Dollars and no cents — Dollars

VALENTINE BRANCH
CHARTER ONE BANK

For 28A 0058.

Frances Duckworth

⑆226370030⑆ 4690154100⑈ 5066



Frances Duckworth
Leonard W. Duckworth
Ph. 914-496-3125
10 Mecca Dr.
Salisbury Mills NY 12577

29-7003 469
2213

5041

Date 11/9/00

Pay to
the order of

TOWN OF NEW LINCOLN

\$ 300.00

THREE HUNDRED DOLLARS AND NO CENTS

Dollars



VALENT GATE BRANCH
CHARTER ONE BANK

For

2BA 00-58

Frances Duckworth

⑆221370030⑆ 469015400⑈ 5041

Date 12/05/80, 15

TOWN OF NEW WINDSOR

**TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553**

TO Leonard W. Duckworth DR.
10 Mesa Drive, Salisbury Mills, N.Y. 12577

[illegible]

-----X
In the Matter of the Application of

LEONARD DUCKWORTH

**MEMORANDUM OF
DECISION GRANTING
AREA VARIANCE**

#00-58.
-----X

WHEREAS, LEONARD DUCKWORTH, residing at 10 Mecca Drive, New Windsor, New York 12553, have made application before the Zoning Board of Appeals for a 2 ft. side yard variance for existing above-ground pool at above address in an R-4 zone; and

WHEREAS, a public hearing was held on the 27th day of November, 2000 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Applicant appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in opposition to this Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a residential property consisting of a one-family home located in a neighborhood containing one-family homes.

(b) The Applicant wishes to obtain a certificate of compliance for an existing above-ground pool on the premises.

(c) The Applicant has not removed any trees or created any water hazards when he erected the pool.

(d) Other homes in the area have similar above-ground pools.

- (e) The existing, above-ground pool was not constructed on top of any water or sewer easements, well or septic system.
- (f) The existing above-ground pool could not be constructed in another location due to the topography of the parcel.
- (f) There have been no complaints formal or informal about the existing pool.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant which can produce the benefits sought.
3. The variance requested is substantial in relation to the Town regulations but nevertheless is warranted.
4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.
6. The benefit to the Applicant, if the requested variance is granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance is appropriate and is the minimum variance necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance.

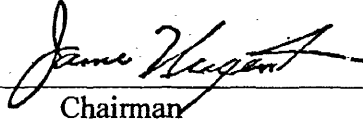
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 2 ft. side yard variance to allow an existing above-ground pool at the above residence, in an R-4 zone as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: January 08, 2001.


Chairman

Date 28/100, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth DR.
168 N. Drury Lane
Newburgh, N.Y. 12550

DATE			CLAIMED		ALLOWED	
11/27/00		Zoning Board N.Y.	75	00		
		Misc - 2				
		Francan - 6				
		Bila - 8				
		McDermott - 1				
		Orr - 4				
		Duckworth - 2 9.00.				
		Cosallo - 4				
		27	121	50		
			196	50		

DUCKWORTH, LEONARD

Mrs. Frances Duckworth appeared before the board for this proposal.

MR. NUGENT: Request for 2 ft. side yard variance for existing above-ground pool at 10 Mecca Drive in an R-4 zone. You're on.

MRS. DUCKWORTH: I'm asking for a two foot variance for a pool that I have.

MR. NUGENT: Give us a minute to get our paperwork passed out.

MS. CORSETTI: I had 51 notices that we sent out to adjacent property owners on November 14.

MR. NUGENT: Let the record show there's no one in the audience.

MR. KRIEGER: What's your relationship to Leonard?

MRS. DUCKWORTH: Wife.

MR. TORLEY: There have been no complaints regarding this pool?

MRS. DUCKWORTH: No.

MR. TORLEY: It would be economically infeasible for you to put it anyplace else?

MRS. DUCKWORTH: Yeah, my whole back yard is a hill.

MR. TORLEY: Would require extensive excavation?

MRS. DUCKWORTH: Yes, that's the only place I had to put it.

MR. MCDONALD: How long has the pool been up?

MRS. DUCKWORTH: Two years, I think.

MR. MCDONALD: No complaints?

MRS. DUCKWORTH: No. Aesthetically, I think it looks very nice.

MR. TORLEY: It's very pretty.

MR. KRIEGER: Any complaints on file, Mike?

MR. BABCOCK: No.

MR. KRIEGER: Was it built on top of any well or septic?

MRS. DUCKWORTH: No.

MR. KRIEGER: Any water or sewer easement?

MRS. DUCKWORTH: No.

MR. KRIEGER: Does it divert water flow or cause the ponding or collection of water?

MRS. DUCKWORTH: No.

MR. MCDONALD: Entertain a motion?

MR. NUGENT: Yes.

MR. MCDONALD: Make a motion we grant Mrs. Duckworth the requested two foot side yard variance.

MR. REIS: Second it.

ROLL CALL

MR. MC DONALD	AYE
MR. REIS	AYE
MR. TORLEY	AYE
MR. NUGENT	AYE

Date 11/13/00 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO DR.

Frances Roth
168 N. Drury Lane
Newburgh, N.Y. 12550

DATE			CLAIMED	ALLOWED
11/13/00		Zoning Board Mtg	75 00	
		Misc. 2		
		Cactus Resorts - 110		
		Duckworth - 2 9.00 ✓		
		Cruz - 2		
		Callaghan - 2		
		Lyons - 2		
		Corallo - 3		
		Acsis Foods - 3	144 00	
		32		
		James Vincent	219 00	

PRELIMINARY MEETINGS:

DUCKWORTH, LEONARD

MR. NUGENT: Request for 2 ft. side yard variance for existing 4 ft. above-ground pool in R-4 zone at 10 Mecca Drive.

Mr. Leonard Duckworth appeared before the board for this proposal.

MR. NUGENT: You're on.

MR. KANE: Come on up, tell us what you want to do.

MR. DUCKWORTH: Yeah, there's a picture there that was submitted, most of my property, almost all of my property is a hill and it seemed to be the only place I could get a pool for my children. It's all fenced in, it apparently has to be ten feet off the side property line, it's 8 feet.

MR. KANE: How old's the pool, sir?

MR. DUCKWORTH: Two years.

MR. REIS: What brings you to the board?

MR. DUCKWORTH: I just had been informed that you needed a building permit for it, I was unaware of it.

MR. KANE: Mike, he just needs two feet going to the side, not from towards the back, he's fine there?

MR. BABCOCK: That's correct.

MR. REIS: You haven't had any complaints from your neighbors?

MR. DUCKWORTH: No, sir.

MR. KANE: Electric's been inspected on it?

MR. DUCKWORTH: Yes, sir.

MR. KANE: Obviously, anyplace you put the pool in your yard, you're going to require some kind of a variance on the property?

MR. DUCKWORTH: Well, not a variance, but there was no other place for it on the property because it's--

MR. TORLEY: Economically infeasible to have it someplace else?

MR. DUCKWORTH: Yes.

MR. NUGENT: I'll accept a motion.

MR. KANE: I move that we approve Mr. Duckworth for a public hearing on his requested variance for 10 Mecca Drive.

MR. TORLEY: Second it.

ROLL CALL

MR. REIS	AYE
MR. KANE	AYE
MR. TORLEY	AYE
MR. NUGENT	AYE

MR. KRIEGER: Now, this is, this whole thing is a two step process, you have accomplished the first step. The board cannot decide on your application finally one way or another till a public hearing is held. The secretary is going to give you a--

MS. CORSETTI: He's already scheduled for November 22, he's way ahead of himself.

MR. KRIEGER: These are the criteria on which the board must decide, so if you would address yourself to those criteria in making your presentation, that would be helpful.

MR. DUCKWORTH: Thank you.

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

COPY

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 10/6/00

APPLICANT: Leonard Duckworth
10 Mecca Drive
New Windsor, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 10/6/00

FOR : Existing 4ft above ground pool permit


LOCATED AT: 10 Mecca Drive

ZONE: R-4 SEC/BLK/LOT: 58-1-13

DESCRIPTION OF EXISTING SITE: Existing one family house

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing 4ft above ground pool does not meet minimum 10ft side yard set-back.


BUILDING INSPECTOR

PERMITTED 10ft

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: 48-21-G-(1)

MIN. LOT AREA:

MIN LOT WIDTH:

REQ=D.. FRONT YD:

REQ=D. SIDE YD:

8ft

2ft

REQD. TOTAL SIDE YD:

REQ=D REAR YD:

REQ=D FRONTAGE:

MAX. BLDG. HT.:

FLOOR AREA RATIO:

MIN. LIVABLE AREA:

DEV. COVERAGE:

cc: Z.B.A., APPLICANT, FILE ,W/ ATTACHED MAP

COPIES

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected and approved.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

OCT 06 2000

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:
Building Permit #: 1084
2000

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE PERMIT WILL BE ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises LEONARD and FRANCES DUCKLORTH

Address 10 MECCA DR Phone 496-3125

Mailing Address SALISBURY MILLS N.Y. 12577

Name of Architect _____

Address _____ Phone _____

Name of Contractor _____

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder OWNER

If applicant is a corporation, signature of duly authorized officer. _____

(Name and title of corporate officer)

1. On what street is property located? On the _____ side of _____
(N, S, E or W)
and _____ feet from the intersection of _____
2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N ☒
3. Tax Map Description: Section _____ Block _____ Lot 11
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
- a. Existing use and occupancy _____ b. Intended use and occupancy _____
5. Nature of work (check if applicable) ☐ New Bldg ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other Pool
6. Is this a corner lot? NO 18x33x52
7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. ~~Stories~~ _____
8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____
- Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost _____

Fee

~~\$~~ 30.00

PAID

CH #4964
10/6/00

____/____/____
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(914) 563-4618
(914) 563-4693 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Arnold L. Duckworth
(Signature of Applicant)

10 MECLA DR Salisbury Mills, N.Y.
(Address of Applicant)

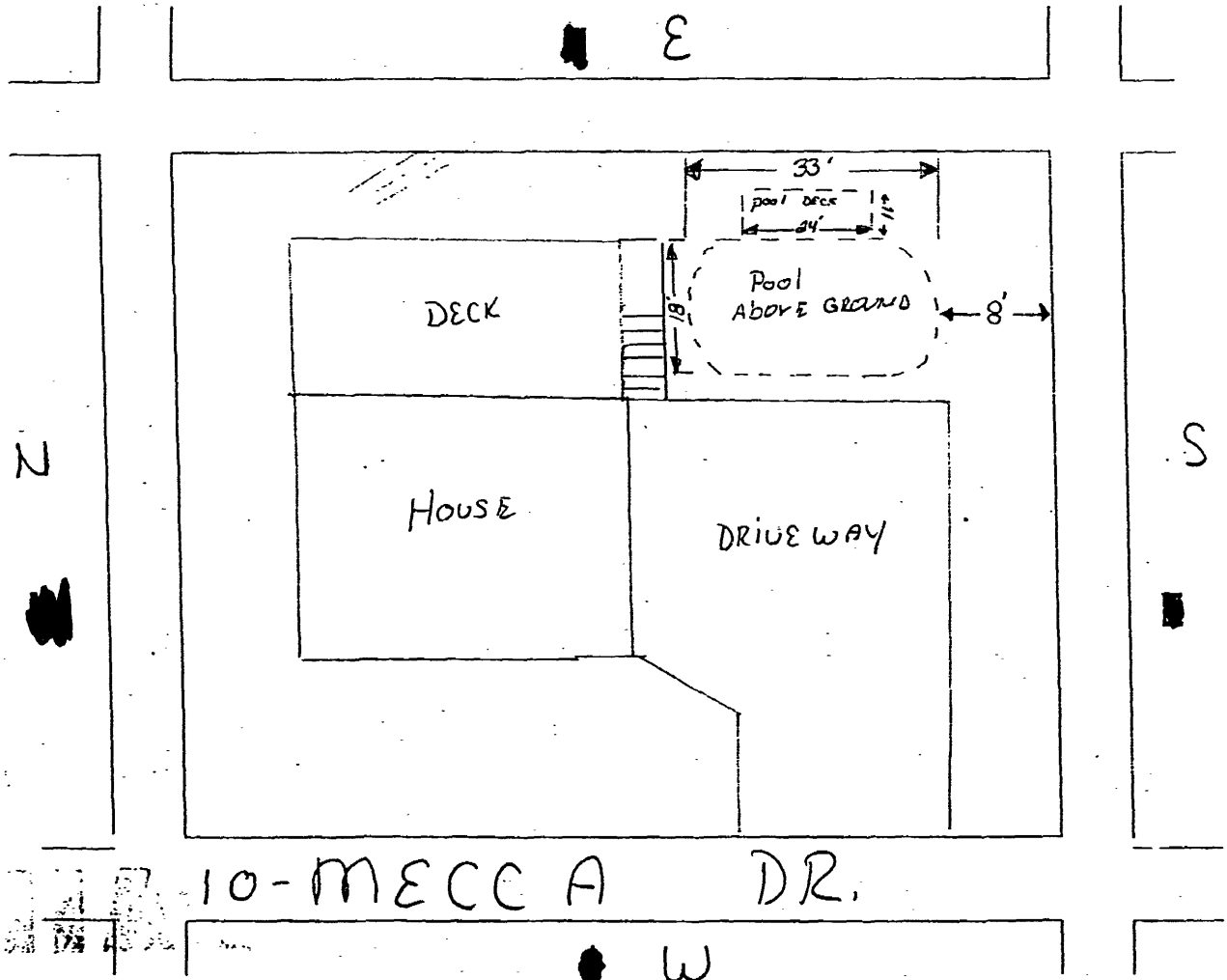
Arnold L. Duckworth
(Owner's Signature)

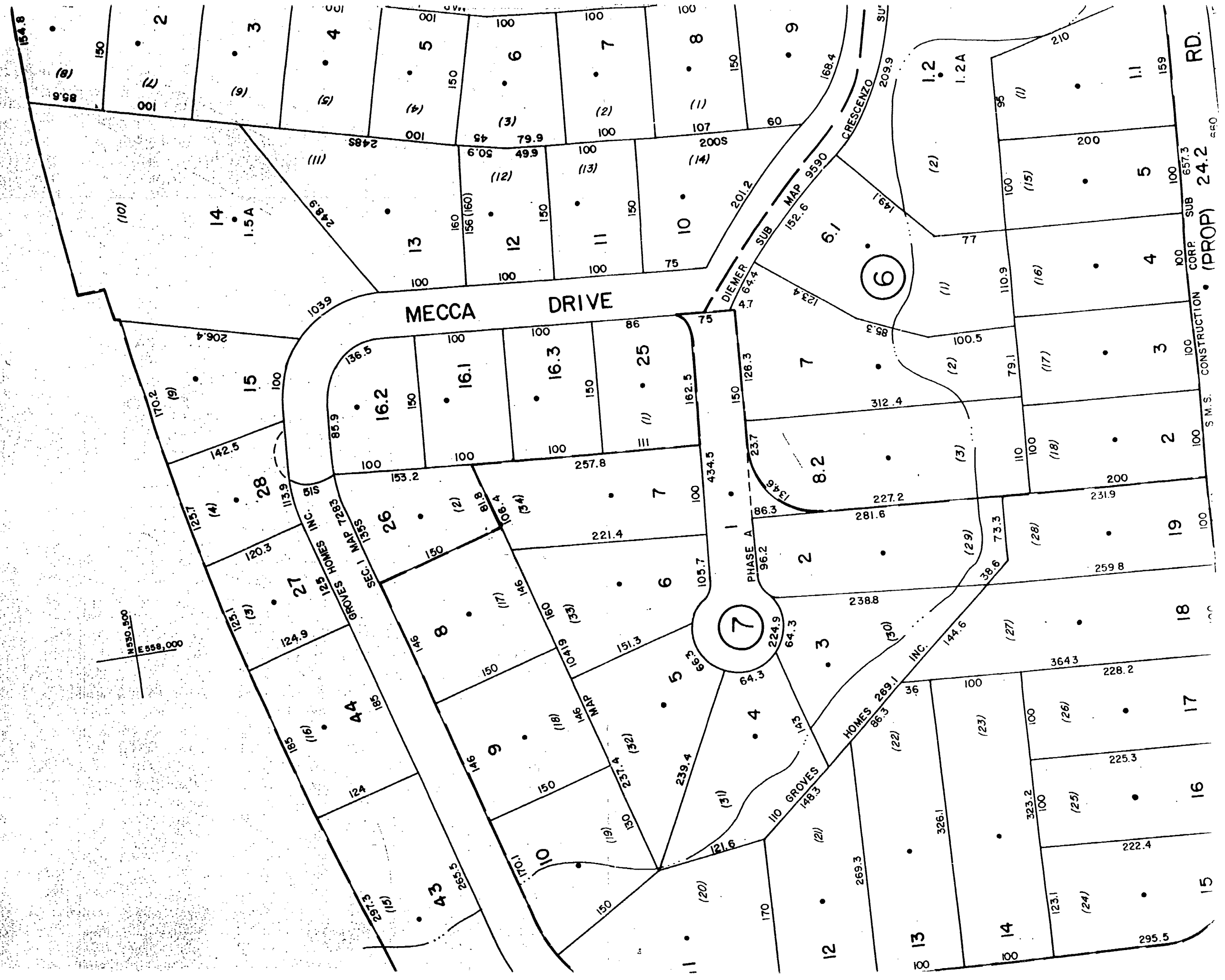
(Owner's Address)

PLOT PLAN

NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.





Pls. publish immediately. Send bill to Applicant.

**PUBLIC NOTICE OF HEARING
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR**

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 58

Request of Leonard W. & Frances Duckworth

for a VARIANCE of the Zoning Local Law to Permit:

existing above-ground pool w/ insufficient side
yard;

being a VARIANCE of Section 48-12 - Table of Use/Bulk Regs. - Col. F

for property situated as follows:

10 Mecca Drive, New Windsor, N.Y. 12553

known and designated as tax map Section 58, Blk. 1 Lot 13

PUBLIC HEARING will take place on the 27th day of November, 192000 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

James Nugent
Chairman

By: Patricia A. Corsetti, Secy.

**ZONING BOARD OF APPEALS:TOWN OF NEW WINDSOR
COUNTY OF ORANGE:STATE OF NEW YORK**

In the Matter of the Application for Variance of

Leonard Duckworth

**AFFIDAVIT OF
SERVICE
BY MAIL**

00-58.

STATE OF NEW YORK))
COUNTY OF ORANGE) SS.:

PATRICIA A. CORSETTI, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 7 Franklin Avenue, New Windsor, N. Y. 12553.

That on the 14th day of November, 2000, I compared the 51 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor regarding the above application for a variance and I find that the addresses are identical to the list received. I then caused the envelopes to be deposited in a U.S. Depository within the Town of New Windsor.

Sahira Q. Corsetti

Notary Public

Sworn to before me this

____ day of _____, 20____.

Notary Public



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

November 7, 2000

(51)

Leonard Duckworth
10 Mecca Drive
Salisbury Mills, NY 12577

Re: 58-1-13

Dear Mr. Duckworth

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$75.00, minus your deposit of \$25.00.

Please remit balance of \$50.00 to the Town Clerk's Office.

Sincerely,

Leslie Cook
Sole Assessor

LC/bw
Attachments

CC: Pat Corsetti, ZBA

57-1-4
Francis G. Coleman
431 Lake Rd
New Windsor, NY 12553 X

58-1-7
Tracy & Michael McGuinness
267 Lake Rd
Salisbury Mills, NY 12577 X

58-1-16.3
Vincent Gatto
11 Mecca Dr
Salisbury Mills, NY 12577 X

57-1-39.22
Francis & EmmaJean MacPherson
61 Vidi Dr.
Salisbury Mills, NY 12577 X

58-1-8
Kathleen & Lawrence Rossini
319 Hickory Ave
New Windsor, NY 12553 X

58-1-25
Karen & Timothy Sheehan
9 Mecca Dr
Salisbury Mills, NY 12577 X

57-1-99
Patricia & Daniel Ryan
301 Lake Rd
Salisbury Mills, NY 12577 X

58-1-9
Lisa & Michael Hall
2 Mecca Dr
New Windsor, NY 12553 X

58-1-26
Mary & Bruce Ostrander
17 Mecca Dr
Salisbury Mills, NY 12577 X

57-1-100
Steven Gerspach
56 Vidi Dr.
Salisbury Mills, NY 12577 X

58-1-10
Warwick Saving Bank
C/o Mortgage Services
P.O. Box 591
Warwick, NY 10990 X

58-1-27
Kerri & Scott Davies
18 Mecca Dr
Salisbury Mills, NY 12577 X

58-1-1
Frances Johnson
291 Lake Rd
Salisbury Mills, NY 12577 X

Joy & Michael Morgese
6 Mecca Dr
Salisbury Mills, NY 12577 X

58-1-28
Cynthia & Joseph Jordan
16 Mecca Dr
Salisbury Mills, NY 12577 X

58-1-2
Amy & Joseph Ryan
219 Lake Rd
New Windsor, NY 12553 X

58-1-12
Mark Lavinski
8 Mecca Dr
Salisbury Mills, NY 12577 X

58-1-44
Doris & Laurence Kantor
20 Mecca Dr
Salisbury Mills, NY 12577 X

58-1-3
Susan & Dederick Kieck
283 Lake Rd
Salisbury Mills, NY 12577 X

58-1-14
Mary & Louis Dolhy & Ann Salony
232 Seymore Ave
Scranton, PA 18505 X

58-2-1
Katherine & James Kelly
302 Lake Rd
Salisbury Mills, NY 12577 X

58-1-4
Mary Ann & Paul Messina
279 Lake Rd
Salisbury Mills, NY 12577 X

58-1-15
Charles McPherson
14 Mecca Dr
Salisbury Mills, NY 12577 X

58-2-2
Marsha Mandel & Raymond Melnik
298 Lake Rd
Salisbury Mills, NY 12577 X

58-1-5
Catherine & Micheal Peraino
275 Lake Rd
Salisbury Mills, NY 12577 X

58-1-16.1
Glenda & Keith Chipperfield
13 Mecca Dr
Salisbury Mills, NY 12577 X

58-2-3.1
Frank Diaz
290 Lake Rd
Salisbury Mills, NY 12577 X

58-1-6
Anna Marie & Richard Shorey
271 Lake Rd
Salisbury Mills, NY 12577 X

58-1-16.2
Karen & Stephen Spellman
15 Mecca Dr
Salisbury Mills, NY 12577 X

58-2-3.2
Christine, Dolores & Patrick Monroe
294 Lake Rd
Salisbury Mills, NY 12577 X

58-2-4
Timothy O'Leary
268 Lake Rd
Salisbury Mills, NY 12577

X

58-6-6.1
William & Doreen Diemer
5 Mecca Dr.
Salisbury Mills, NY 12577

X

57-1-126
Consolidated Rail Corp.
6 Penn Center Plaza
Philadelphia, PA 19103

X

58-2-6
Roxana & Joseph Pantano
1 Beaver Brook Rd
New Windsor, NY 12553

X

58-6-7
John & Elizabeth Connors
1 Alphonsa Ct.
Salisbury Mills, NY 12577

X

58-2-7
Tommy & Ethel Kingery
5 Beaver Brook Rd.
New Windsor, NY 12553

X

58-6-8.2
Rudolph & Barbara Lamarr
7 Alphonsa Ct.
Salisbury Mills, NY 12577

X

58-2-8
Robert & Grace Roe
9 Beaver Brook Rd.
New Windsor, NY 12553

X

58-7-2
James & Patricia Spaulding
13 Alphonsa Ct.
Salisbury Mills, NY 12577

X

58-2-9
Dominick & Bernadine Forte
15 Beaver Brook Rd.
New Windsor, NY 12553

X

58-7-3
Victor & Jacqueline Burgos
17 Alphonsa Ct.
Salisbury Mills, NY 12577

X

58-2-10.11
Allen Deyo
21 Beaver Brook Rd.
New Windsor, NY 12553

X

58-7-5
Alexander & Charlene Torres
14 Alphonsa Ct.
Salisbury Mills, NY 12577

X

58-4-1
Anthony & Susan Hilinski
2 Beaver Brook Rd.
New Windsor, NY 12553000

X

58-7-6
Alexis Smyrychynski
15 Sasson Terrace
Valley Cottage, NY 10909

X

58-4-2
Joseph & Christine Cirello
268 Lake Rd.
New Windsor, NY 12553

X

58-7-7
Richard & Barbara Biglin
6 Alphonsa Ct.
Salisbury Mills, NY 12577

X

58-4-5.1
James & Robin Rashford
10 Beaver Brook Rd.
New Windsor, NY 12553

X

58-7-8
Kenneth & Madeline Brooks
19 Mecca Sr.
Salisbury Mills, NY 12577

X

58-6-1.2
Alexander & Natalie Bar
PO Box 239
Cornwall, NY 12518

X

58-7-9
Patrick & Patricia Neary
21 Mecca Dr.
Salisbury Mills, NY 12577

X

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(814) 563-4611

RECEIPT
#00-58

11/09/2000

Duckworth, Leonard

Received \$ 50.00 for Zoning Board Fees, on 11/09/2000. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Dorothy H. Hansen
Town Clerk

Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS — RICHMOND, VIRGINIA

POLICY OF TITLE INSURANCE

SCHEDULE B

The following estates, interests, defects, objections to title, liens and incumbrances and other matters are excepted from the coverage of this policy:

1. Defects and incumbrances arising or becoming a lien after the date of this policy, except as herein provided.
2. Consequences of the exercise and enforcement or attempted enforcement of any governmental war or police powers over the premises.
3. Any laws, regulations or ordinances (including, but not limited to zoning, building, and environmental protection) as to the use, occupancy, subdivision or improvement of the premises adopted or imposed by any governmental body, or the effect of any non-compliance with or any violation thereof.
4. Judgments against the insured or estates, interests, defects, objections, liens or incumbrances created, suffered, assumed or agreed to by or with the privity of the insured.
5. Title to any property beyond the lines of the premises or title to areas within or rights or easements in any abutting streets, roads, avenues, lanes, ways or waterways, or the right to maintain therein vaults, tunnels, ramps or any other structure or improvement, unless this policy specifically provides that such titles, rights, or easements are insured. Notwithstanding any provisions in this paragraph to the contrary, this policy, unless otherwise excepted, insures the ordinary rights of access and egress belonging to abutting owners.
6. Title to any personal property, whether the same be attached to or used in connection with said premises or otherwise.
7. Mortgage made by the Insured to First Federal Savings and Loan Association of Middletown in the principal sum of \$111,625.00, dated September 12, 1986, recorded September 17, 1986 in Liber 2387 cp. 52.
8. Rights, if any, in favor of any electric light or telephone company to maintain guy wires extending from said premises to poles located on the roads on which the premises abut, but policy will insure, however, that there are no such agreements of record in connection therewith, except as may be shown herein.
9. Underground encroachments and easements, if any, including pipes and drains, and such rights as may exist for entry upon said premises to maintain and repair the same.
10. Covenants and Restrictions in Liber 1922 cp. 871.
11. Grant to Central Hudson in Liber 1644 cp. 593.
12. Survey made by Lanc & Tully, dated June 19, 1985, and last recertified August 20, 1986, shows the following: 1) dwelling within bounds; 2) shale drive serving dwelling from Mecca Drive; 3) wire fence running along and within the easterly and northerly lines; 4) location of well.

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the 12th day of September, nineteen hundred and Eighty-Six
BETWEEN

BOND CONSTRUCTION CORP., a New York corporation with its principal place
of business and an office at 501 Route 208, Monroe, New York,

party of the first part, and

LEONARD W. DUCKWORTH and FRANCES DUCKWORTH, his wife, both residing at
2268 Livingston Street, Northvale, New Jersey 07647, as tenants by the
entirety,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of

----- TEN (\$10.00) ----- dollars,

lawful money of the United States, and other good and valuable consideration paid

by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or

successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,

lying and being in the Town of New Windsor, County of Orange and State of New
York, known as Lot No. 11 on a certain map entitled, "S.M.S. Construction
Corporation", dated April, 1959 and filed in the Orange County Clerk's
Office on May 11, 1959 as Map No. 1800.

TOGETHER with a right of ingress and egress from Lake Road to Beaver Dam
Lake across a right of way 50 feet wide, which right of way is more particularly
bounded and described in the deed of Anna Johnson to Joseph G. Mecca,
Joseph T. Schiavone and Edwin Schrader, dated August 20, 1955 and recorded
in the Orange County Clerk's Office on August 22, 1955 in Liber 1358 of
Deeds at page 214.

062930

TAX MAP
DESIGNATION

Dist. 48

Sec. 58

Blk. 1

Lot(s) 13

BEING the same premises conveyed to Bond Construction Corp., by deed from Edward Brisotti dated August 3, 1985 and recorded in the Orange County Clerk's Office on October 8, 1985 in Liber 2422 of Deeds at page 326.

SUBJECT to such state of facts as may be shown upon the aforesaid filed map and to grant recorded in the Orange County Clerk's Office in Liber 1644 cp 593.

~~SUBJECT to a first mortgage made by Bond Construction Corp., to First Federal Savings and Loan Association of Middletown, dated April 10, 1986 and recorded in the Orange County Clerk's Office on April 15, 1986 in Liber 2241 of Mortgages at page 31, which mortgage was in the face amount of \$81,500.00, and upon which mortgage there is due and unpaid the principal amount of \$81,500.00, with interest thereon at the rate of 10.5% per annum from the date hereof, which principal balance and interest the party of the second part hereby assumes, covenants and agrees to pay in accordance with the terms and provisions of said mortgage and of the bond or note which it secures, as part of the consideration for this conveyance.~~

LIBER 2577 PG 8

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

00-58

Date: 11/09/00

(845-496-3125)

I. ✓ Applicant Information:

- (a) LEONARD + FRANCES DICKINETH 10 MECCA DR. SALISBURY MILLS, N.Y. 12577
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Interpretation

III. ✓ Property Information:

- (a) R-4 10 MECCA DR 58-1-13 0.668+ ACRES
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? NONE
- (c) Is a pending sale or lease subject to ZBA approval of this application? NO
- (d) When was property purchased by present owner? SEPT. 15, 1986
- (e) Has property been subdivided previously? NO
- (f) Has property been subject of variance previously? NO
If so, when? N/A
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? NO
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: NO

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes _____ No X.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

✓ V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 8-12, Table of Use/Bulk Regs., Col. F.

Requirements	Proposed or Available	Variance Request
Min. Lot Area	_____	_____
Min. Lot Width	_____	_____
Reqd. Front Yd.	_____	_____
Reqd. Side Yd. <u>10 ft</u>	<u>8 ft</u>	<u>2 ft</u>
Reqd. Rear Yd.	_____	_____
Reqd. Street Frontage*	_____	_____
Max. Bldg. Hgt.	_____	_____
Min. Floor Area*	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio**	_____	_____
Parking Area	_____	_____

* Residential Districts only

** No-residential districts only

✓ (b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

PROPERTY WILL REMAIN RESIDENTIAL

(You may attach additional paperwork if more space is needed)

VI. Sign Variance: N/A

(a) Variance requested from New Windsor Zoning Local Law, Section _____, _____ Regs.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation: N/A

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

(b) Describe in detail the proposal before the Board:

✓ VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

(b) Variance: Granted (____) Denied (____)

(c) Restrictions or conditions: _____

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC
HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF
APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)